

<b>RURAL COMMUNITY INSURANCE SERVICES,</b>	)	<b>AGBCA No. 98-107-F</b>
<b>(Arthur Steere Compliance)</b>	)	
	)	
Appellant	)	
	)	
<b>Representing the Appellant:</b>	)	
	)	
Daniel N. Rosenstein	)	
Levin & Rosenstein	)	
1130 Seventeenth Street, N.W., Suite 314	)	
Washington, D. C. 20036	)	
	)	
<b>Representing the Government:</b>	)	
	)	
James H. Wood	)	
Office of the General Counsel	)	
U. S. Department of Agriculture	)	
2550 University Avenue West	)	
Suite 416N	)	
St. Paul, Minnesota 55114-1052	)	

**DECISION OF THE BOARD OF CONTRACT APPEALS**

**February 8, 1999**

**OPINION BY ADMINISTRATIVE JUDGE HOWARD A. POLLACK**

This appeal arises out of a Standard Reinsurance Agreement between Federal Crop Insurance Corporation (FCIC) and National Ag Underwriters, Inc. (National). Rural Community Insurance Services (Rural or Appellant) is successor in interest to National and is the party to this appeal. The appeal arises out of a final determination of September 17, 1997, by the Director of Compliance, Risk Management Agency as to Compliance Case No. SP-DC00-258, 1993 Multiple Peril Crop Insurance (MPCI) Policy No. 22-942-022238 (Steere) wherein the Director found that Rural was liable for an overpaid indemnity of \$3,770 and that Rural was indebted to FCIC in that amount. In deciding against Rural, the Director ruled that Rural's indemnity calculations should have been based on different test weights than that used and that Rural had used an erroneous sales price and associated discounts in making its indemnity calculations.

By letter of November 14, 1997, Rural filed a timely appeal with the Board, which has jurisdiction over the matter pursuant to regulations, 7 C.F.R. § 400.169(d) and 7 C.F.R. § 24.4(b).

Thereafter, the parties engaged in settlement discussions. By letter dated May 26, 1998, Appellant's counsel filed with the Board the Settlement and Release Agreement executed by the parties. Said agreement addressed the above as well as two other appeals, and specified that the appeals were to be dismissed with prejudice.

**DECISION**

In accordance with the settlement agreement entered into by the parties, the appeal is dismissed with prejudice.

---

**HOWARD A. POLLACK**  
Administrative Judge

**Concurring:**

---

**EDWARD HOURY**  
Administrative Judge

---

**JOSEPH A. VERGILIO**  
Administrative Judge

**Issued at Washington, D. C.**  
**February 8, 1999**